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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 CHARLES A. SUMMERS,

10 Petitioner,

11 vs.

12 E. K. MCDANIELS, et al.,

13 Respondents.
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Case No. 3:09-cv-00613-LRH-(RAM)

ORDER

15 The Court directed (#3) Petitioner to file a petition for a writ of habeas corpus pursuant to 28
16 U.S.C. § 2254. Petitioner has not complied within the allotted time.

17 IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for
18 Petitioner's failure to comply with the Court's Order (#3). The Clerk of the Court shall enter
19 judgment accordingly.

20 DATED this 10th day of December, 2009.



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23 **LARRY R. HICKS**
24 **UNITED STATES DISTRICT JUDGE**
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